IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 6508 of 2005

Between:

1 G.Shankar, S/o. Sri Gouraiah,
H.No.3-10-316, Mankamma Thota, Karimnagar, A.P.,
2 P.Srinivas, S/o. Sri Gangaram,
Mankamma Thota, Karimnagar, A.P.

... PETITIONERS

AND

1 The Deputy Director of Income Tax (Investigation),
Unit - 1 (II), 4th Floor, Annex Building, Ayakar Bhavan,
Hyderabad.
2 The Commissioner of Prohibition and Excise, Govt. of
Andhra Pradesh, Hyderabad.
3 The Superintendent of Prohibition and Excise, Prohibition
and Excise Building, 5th floor, M.J.Road, Hyderabad.
4 The Prohibition and Excise Superintendent, Ranga Reddy
District.
5 The Prohibition and Excise Superintendent, Hyderabad
District.

..RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, direction or order especially in the nature of writ of Mandamus declaring the action of the first respondent in calling upon the Superintendents

of Excise and Prohibition in the State of A.P. to produce the demand drafts submitted by various applicants within 24 hours of the delivery of the judgment and the Hon'ble High Court of A.P., now pending Writ appeals as illegal, arbitrary and in excess of the powers conferred on the first respondent under the provisions of Income Tax Act, 1961 and consequently direct the Excise Superintendent to release the original demand drafts to the various applicants without complying with the directions of the first respondent.

Counsel for the Petitioners: M/SRPN ASSOCIATES

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court, at the stage of admission, made the following:

ORDER: (Per BRSR,J)

Sri R.Raghunandan, learned counsel for the petitioners, states that the cause in this writ petition does not survive requiring any further adjudication.

The writ petition shall accordingly stand dismissed.

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B. SUDERSHAN REDDY, J.

Date: 20/04/2005

C.V. RAMULU, J.

GS

To

1 The Deputy Director of Income Tax (Investigation), Unit - 1 (II), 4th Floor, Annex Building, Ayakar Bhavan, Hyderabad.

2 The Commissioner of Prohibition and Excise, Govt. of Andhra Pradesh, Hyderabad.

3 The Superintendent of Prohibition and Excise, Prohibition and Excise Building, 5th floor, M.J.Road, Hyderabad.

4 The Prohibition and Excise Superintendent, Ranga Reddy District.

5 The Prohibition and Excise Superintendent, Hyderabad District.

6. Two CCs to the G.P. for Prohibition and Excise, High Court of A.P., Hyderabad. (OUT)

7. Two C.D. Copies.